

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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QUANTUM CORPORATE FUNDING, LTD.,

Plaintiff,

vs.

WESTWOOD DESIGN/BUILD INCORPORATED,
DAVID R. WARFIELD, NATIONAL CITY
MORTGAGE INC., and PENN LYON HOMES
CORPORATION,

Defendants.

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NATIONAL CITY MORTGAGE,

Third-Party Plaintiff,

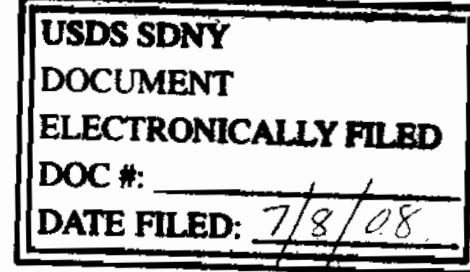
vs.

MICHAEL CONRAD, a/k/a MICHAEL CONRAD
BROWN.

Third-Party Defendant.

Civil Action No. 08-cv-0539
(LAK) (HBP)

**DEFAULT JUDGMENT IN
FAVOR OF DEFENDANT/
CROSS-CLAIMANT/
THIRD-PARTY PLAINTIFF
NATIONAL CITY
MORTGAGE AS AGAINST
WESTWOOD DESIGN/BUILD
INCORPORATED, DAVID R.
WARFIELD, AND MICHAEL
CONRAD, A/K/A MICHAEL
CONRAD BROWN**



Defendant/Cross-Claimant/Third-Party Plaintiff National City Mortgage ("NCM")

having filed its Answer, Separate Defenses, Cross-Claim and Third-Party Complaint on February 29, 2008 ("Cross-Claim and Third-Party Complaint"); copies of the Cross-Claim and Third Party Complaint having been served on cross-claim defendants Westwood Design/Build Incorporated ("Westwood") and David R. Warfield ("Warfield") via Federal Express on February 29, 2008, and proof of such service having been filed with the Court on February 29, 2008; copies of the Cross-Claim and Third-Party Complaint and Third-Party Summons having been personally served on third-party defendant Michael Conrad, a/k/a Michael Conrad Brown ("Conrad") on April 26, 2008, and proof of such service having been filed with the Court on May 6, 2008; and

the cross-claim defendants Westwood and Warfield and third-party defendant Conrad not having answered the Cross-Claim and Third-Party Complaint; and the time for cross-claim defendants Westwood and Warfield and third-party defendant Conrad to respond to the Cross-Claim and Third-Party Complaint having expired; and the Court having considered the Affidavit of Christopher Washburn and determined that NCM has established that cross-claim defendants Westwood and Warfield and third-party defendant Conrad are liable to NCM for fraudulent misrepresentations and fraudulent inducement; it is

ORDERED, ADJUDGED AND DECREED: That cross-claimant and third-party plaintiff NCM have judgment by default against cross-claim defendants Westwood and Warfield and third-party defendant Conrad, jointly and severally, in the amount equal to any loss, liability or expense that may be imposed upon, or incurred by, NCM on account of plaintiff Quantum Corporate Funding, Ltd.'s claims against NCM.

Dated: New York, New York

July 7, 2008



Hon. Lewis A. Kaplan, U.S.D.J.

This document was entered on the docket on _____.